



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 5

#### CHILD ASSESSMENT AND CHILD PROTECTION ORDERS

##### *Decision of children's hearing*

#### **47 Decision of children's hearing**

- (1) A children's hearing arranged under section 45 or 46 may—
  - (a) if it is satisfied that the conditions for making the order are met—
    - (i) continue the order, or
    - (ii) continue and vary the order (including by terminating, varying or including an information non-disclosure direction, a contact direction or a parental responsibilities and rights direction), or
  - (b) if it is not satisfied that those conditions are met, terminate the order.
- (2) In subsection (1), the “conditions for making the order” are—
  - (a) where the order was made under section 38, the matters mentioned in subsection (2)(a) to (d) of that section,
  - (b) where the order was made under section 39, the matters mentioned in subsection (2)(a) and (b) of that section.

#### **Commencement Information**

**II** S. 47 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

**Changes to legislation:**

Children's Hearings (Scotland) Act 2011, Cross Heading: Decision of children's hearing is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 17A inserted by [2020 asp 16 s. 6\(2\)](#)
- s. 7A inserted by [2024 asp 5 s. 2\(2\)](#)
- s. 25(3) inserted by [2020 asp 16 s. 30\(7\)](#)
- s. 27(3)-(4A) substituted for s. 27(3)(4) by [2020 asp 16 s. 3\(2\)](#)
- s. 57A57B and cross-heading inserted by [2024 asp 5 s. 3\(7\)](#)
- s. 62(5)(q)-(u) inserted by [2020 asp 9 s. 8\(2\)\(b\)](#)
- s. 83(2)(ca)(cb) inserted by [2024 asp 5 s. 5\(2\)\(a\)](#)
- s. 83(2A) inserted by [2024 asp 5 s. 4\(2\)\(b\)](#)
- s. 83(4A) inserted by [2024 asp 5 s. 6\(2\)\(b\)](#)
- s. 138(6)(aa) inserted by [2024 asp 5 s. 11\(2\)\(a\)\(ii\)](#)
- s. 138(7A) inserted by [2024 asp 5 s. 11\(2\)\(b\)](#)
- s. 144(6) amendment to earlier affecting provision S.S.I. 2022/225, reg. 13(4) by [2024 asp 5 Sch. para. 27\(2\)\(b\)](#)
- s. 150(2)(ca)(cb) inserted by [2024 asp 5 s. 6\(3\)\(c\)](#)
- s. 163(2)-(2B) substituted for s. 163(2) by [2020 asp 16 s. 27\(3\)\(b\)](#)
- s. 164(2)-(2B) substituted for s. 164(2) by [2020 asp 16 s. 27\(4\)\(b\)](#)
- s. 165(2)-(2B) substituted for s. 165(2) by [2020 asp 16 s. 27\(5\)\(b\)](#)
- s. 177(2)(ha) inserted by [2024 asp 5 s. 2\(3\)](#)
- s. 179A(5A)(5B) inserted by [2024 asp 5 s. 8\(2\)\(b\)](#)
- s. 179B(3)-(6) inserted by [2024 asp 5 s. 8\(3\)\(c\)](#)
- s. 179C(4) inserted by [2024 asp 5 s. 8\(4\)\(b\)](#)
- s. 179D inserted by [2024 asp 5 s. 9\(2\)](#)